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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/502,469

03/02/2005

Kenneth Brown

966-011881US(PAR)20020109

4018

2512

7590

02/02/2010

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EXAMINER

MCPHILLIP, ADRIAN J

ART UNIT

PAPER NUMBER

3623

MAIL DATE

DELIVERY MODE

02/02/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/502,469	Applicant(s) BROWN, KENNETH	
	Examiner Adrian J. McPhillip	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-22 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Final Office Action is in response to Applicant's communication filed on November 18, 2009. Claims 4-10, 12-16 and 18 have been amended. Claim 23 has been cancelled.

Currently claims 1-22 are pending in this application.

Response to Amendment

2. Applicant's amendments to claims 4-10, 12-16 and 18 are hereby acknowledged and sufficient to overcome the previously issued rejections under 35 USC § 101. Accordingly these rejections have been withdrawn.

3. Applicant's amendments to claim 4-18 and 23 are hereby acknowledged and sufficient to overcome the previously issued claim objections for being of improper dependent form. Accordingly these objections have been withdrawn and the claims have been treated on the merits.

Response to Arguments

4. Applicant's arguments have been fully considered but are rendered moot in view of the newly presented grounds of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-6, 9-10, 12-15 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesaint et al. (US 6578005 B1) – hereinafter Lesaint, in view of Tom Clark’s article, “Developing Operating Procedures For Projects Involving Multiple Organizations Using a Linear Responsibility Chart,” – hereinafter Clark.

Regarding **claim 1**, Lesaint discloses a system comprising:

- a processing unit configured for receiving data records for graphically displaying a plurality of tasks and resources each resource being available for handling, executing or otherwise processing one or more of the tasks (see at least col.7, lines 30-55 which disclose a visual display unit and a processing unit for analyzing data records that include tasks and human resources for performing the tasks in question);

Lesaint does not explicitly teach that the units receive records including respective relationship identifiers, each relationship identifier describing a relationship among a respective task and a respective resource; the processing unit is further configured for representing the plurality of tasks in a first dimension of a matrix and the plurality of resources in a second dimension of the matrix, wherein each relationship identifier is represented at the interconnection or point of intersection between the respective task and resource corresponding to that relationship

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identifier; or that the processing unit is further configured for representing a connection between relationship identifiers relating to a particular task.

Clark however discloses a project management method that utilizes a Linear Responsibility Chart to perform the steps of:

- establishing data records including respective relationship identifiers, each relationship identifier describing a relationship among a respective task and a respective resource (see the figure on page 3 which illustrates the identifiers and page 5 which discloses implementing the LRC in electronic format which suggests that electronic data records are created to represent the information disclosed by the reference);
- a processing unit configured to represent the plurality of tasks in a first dimension of a matrix and the plurality of resources in a second dimension of the matrix, wherein each relationship identifier is represented at the interconnection or point of intersection between the respective task and resource corresponding to that relationship identifier (see pages 3 and 5); and
- a processing unit further configured for representing a connection between relationship identifiers relating to a particular task (see page 3).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore one would have modified the system of Lesaint to include the usage of Linear Responsibility

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Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

Regarding **claim 2**, Lesaint discloses a system, wherein each task and each resource is described by a data record comprising one or more characteristic features or properties thereof (see at least col.2, lines 60-65 which disclose input means for providing information relating to the tasks to be allocated and the resources available to perform the tasks; and col.7, lines 30-55 which disclose a visual display unit and a processing unit for analyzing data records that describe tasks and human resources for performing the tasks in question). Lesaint does not explicitly teach relationship identifiers associated with corresponding data records of the tasks or resources.

Clark however, discloses a project management method that utilizes a Linear Responsibility Chart to establish data records including respective relationship identifiers, each relationship identifier describing a relationship among a respective task and a respective resource (see the figure on page 3 which illustrates the relationship identifiers and page 5 which discloses implementing the LRC in electronic format which suggests that electronic data records are created to represent the information disclosed by the reference, including the relationship identifiers and the specific tasks/resources with which the identifiers are associated).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore

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one would have modified the system of Lesaint to include the usage of Linear Responsibility Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

Regarding **claim 3**, Lesaint discloses a system comprising a plurality of resources and tasks wherein at least one of the resources is one of an individual person, a group of persons, a department, a function, a competency, or any other type of entity found appropriate to circumscribe an actor of the project (see at least **col. 5** wherein the resource being scheduled is a person, specifically a technician).

Regarding **claim 4**, Lesaint discloses a system, wherein at least one of the relationships between task and resource is an assignment, so that the resource is assigned to the task, or a non-assignment, so that the resource is not assigned to the task (see at least claim 86).

Regarding **claims 5-6**, Lesaint discloses a system for managing the assignment of tasks to resources, but does not explicitly teach that the processing unit is further configured for specifying a type, nature or kind of the relationship and for representing each different type, nature or kind of the relationship by a different type of relationship identifier.

Clark however discloses a project management method that utilizes a Linear Responsibility Chart for specifying a type, nature or kind of the relationship and for representing each different type, nature or kind of the relationship by a different type of relationship identifier (see page 3).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing

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the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore one would have modified the system of Lesaint to include the usage of Linear Responsibility Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

Regarding **claim 9**, Lesaint discloses a system wherein the processing unit is further configured for arranging tasks in accordance to defined relationships between the tasks such as temporal relationships and/or priorities (see at least claim 8).

Regarding **claim 10**, Lesaint discloses a system wherein the processing unit is further configured for indicating dependencies between tasks (see cols. 7-8 wherein the system takes into consideration certain dependencies between tasks. For example the availability of a technician for task B will depend on when that technician finishes task A etc. The system must be able to indicate these dependencies in order for it to consider them in the scheduling process).

Regarding **claims 12-13**, Lesaint discloses a system wherein the processing unit is further configured for grouping a plurality of the resources together and representing those grouped resources as one resource group; and for grouping a plurality of the tasks together and representing those grouped tasks as one task group (see col. 5, lines 34-40 wherein the system may be arranged to limit changes to a selected group of resources and tasks).

Regarding **claim 14**, Lesaint discloses a system wherein the processing unit is further configured to provide a plausibility check for detecting and/or indicating potential failures (see at least col. 6, lines 50-65 which disclose the fault monitoring system that detects and/or indicates

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potential faults/failures. Lesaint does not explicitly apply the fault monitoring system to the matrix claimed by the Applicant.

It has been previously established that Clark discloses the Applicant's matrix and that it would have been obvious to modify Lesaint to include the usage of this matrix (see the rejection of claim 1).

Additionally, it would have been obvious in the aforementioned combination to apply the fault monitoring system disclosed by Lesaint to the matrix disclosed by Clark. Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case providing a plausibility check for detecting potential faults/failures, as disclosed by Lesaint's fault monitoring system, to a known device, in this case to the matrix/linear responsibility chart disclosed by Clark. The application of the known technique in this manner would have generated a predictable result specifically a system that monitored the charts/matrices disclosed by Clark, and the underlying functions, resources and tasks that they represent, and detected potential faults/failures in the manner disclosed by Lesaint. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

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Regarding **claim 15**, Lesaint discloses a system wherein the processing unit is further configured for providing an indication for the state of one or more of the tasks (see col. 24, lines 50-60 which disclose the pool of work status register that stores the status of the tasks in the work pool. This register, and the corresponding task statuses, may be viewed using the display unit disclosed in col.7, lines 30-55).

Regarding **claim 19**, the claim recites equivalent limitations to claim 1 except that the claim is directed to the method performed by the system of claim 1. Since the Examiner has presented evidence for why a system performing the claimed method is obvious in view of the prior art, it follows that the method itself is also obvious for the reasons presented above in the rejection of claim 1

Regarding **claim 20**, the claim recites equivalent limitations to those found in claims 19 with the added limitations of: except that the claim recites the added limitation of one or more of the following steps: specifying a type, nature or kind of the relationship, representing each different type, nature or kind of the relationship by a different type of relationship identifier, representing at least one of the relationship identifiers as a dot or similar geometrical figure, representing all relationship identifiers relating to one task by a connected line or similar connection, arranging the tasks in accordance to defined relationships between the tasks such as temporal relationships and/or priorities, indicating dependencies between tasks preferably using pointers or arrows, grouping a plurality of the resources together and representing those grouped resources as one resource group, grouping a plurality of the tasks together and representing those grouped tasks as one task group, analyzing the matrix and providing a plausibility check for detecting and/or indicating potential failures, providing an indication for the state of one or more

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of the tasks, representing the tasks by parallel lines in the first matrix dimension and the resources by parallel lines in the second matrix dimension, wherein the first matrix dimension is preferably substantially perpendicular to the second matrix dimension, providing two or more different projects in a joint representation, wherein the first and second matrix dimensions are each represented substantially parallel to each other. Lesaint however, discloses a method for visually mapping a project comprising a plurality of resources and tasks, wherein the processing unit is further adapted for providing an indication for the state of one or more of the tasks (see at least **col. 11, lines 10-25** wherein a technician status register 43 and pool of work register 44 similarly store data relating to the status of technicians and tasks respectively), therefore this limitation is insufficient to distinguish the claim over the prior art applied to claim 19.

Regarding **claim 21**, Lesaint discloses a method comprising the steps of:
using a processing unit for:

- receiving information about a provided visual mapping of a project comprising a graphically displayed plurality of tasks and a graphically displayed plurality of resources each resource being available for handling, executing or otherwise processing one or more of the tasks (see at least **fig. 3** and **cols. 3-4** wherein the pre-scheduler component of the system generates an initial visual mapping/schedule of the tasks and resources in the system which it then feeds to the optimizing component which modifies the initial schedules to generate a second, optimized visual mapping/schedule of the tasks and resources); and
- deriving, from the received information, data records of the plurality of tasks and resources (see at least **fig. 2** wherein the system includes a processor and memory

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for processing and storing the received information and **col. 2, lines 60-67**

wherein the system includes input means for providing information relating to the tasks to be allocated and the resources available to perform the tasks. The processor receives this information and stores it in a plurality of data records so that it can be easily accessed when necessary).

Lesaint does not explicitly teach that a relationship between a respective task and a respective resource is described by a respective relationship identifier, that the system receives and generates data records about these respective relationship identifiers together with the data records of the plurality of tasks and resources, or representing a connection between relationship identifiers relation to a particular task.

Clark however discloses a project management method that utilizes a Linear Responsibility Chart to perform the steps of:

- establishing data records including respective relationship identifiers, each relationship identifier describing a relationship among a respective task and a respective resource (see the figure on page 3 which illustrates the identifiers and page 5 which discloses implementing the LRC in electronic format which suggests that electronic data records are created to represent the information disclosed by the reference);
- a processing unit configured to represent the plurality of tasks in a first dimension of a matrix and the plurality of resources in a second dimension of the matrix, wherein each relationship identifier is represented at the interconnection or point of

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intersection between the respective task and resource corresponding to that relationship identifier (see pages 3 and 5); and

- a processing unit further configured for representing a connection between relationship identifiers relating to a particular task (see page 3).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore one would have modified the system of Lesaint to include the usage of Linear Responsibility Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

Regarding **claim 22**, the claim recites substantially similar steps to claim 21 with the addition of an analysis step for analyzing the information that is received and derived in claim 21. The Examiner has previously presented evidence above for why the limitations of claim 21 would have been obvious at the time of the invention and further notes that Lesaint analyzes the various task and resource records in question to dynamically determine an optimal assignment strategy (see at least **cols. 2-5**).

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the

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results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case analyzing task and resource data as disclosed by Lesaint, to a known device, in this case to the linear responsibility chart/matrix disclosed by Clark. The application of the known technique in this manner would have generated a predictable result. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

8. Claims 7 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lesaint (US 6578005 B1) , in view of Clark's, "Developing Operating Procedures For Projects Involving Multiple Organizations Using a Linear Responsibility Chart," and further in view of Examiner Official Notice.

Regarding **claim 7**, Lesaint discloses the system of claim 1 but does not explicitly teach that the processing unit is further configured for representing at least one of the relationship identifiers as a dot or similar geometrical figure.

Clark however discloses a project management method that utilizes a Linear Responsibility Chart for specifying a type, nature or kind of the relationship and for representing each different type, nature or kind of the relationship by a different type of relationship identifier (see page 3).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing

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the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore one would have modified the system of Lesaint to include the usage of Linear Responsibility Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

While Clark, and accordingly the combination of Clark and Lesaint, discloses the use of relationship identifiers, the prior art does not explicitly disclose representing at least one of the relationship identifiers as a dot or similar geometrical figure. However, the Examiner hereby takes Official Notice that representing data as a dot or similar geometrical figure was old and well known to those of ordinary skill in the art, at the time of the invention. For example, dot plots were widely popularized in 1981 by the statisticians Maizel and Lenk, and as the name suggests utilizes dots to represents data.

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. Exemplary rationales that may support a conclusion of obviousness include: Simple substitution of one known element for another to obtain predictable results (MPEP 2141).

Because each individual element and its function are shown in the prior art, albeit in different references or embodiments, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself— that is in the substitution of dots or similar geometric figures, as were well known to those of ordinary skill in the art at the time of the invention, for the relationship identifiers disclosed by

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the combination of Clark and Lesaint. The result of this substitution would have been predictable to those of ordinary skill in the art, at the time of the invention, specifically a system for managing the allocation of resources to a plurality of tasks, such that the system tracked the relationships between the aforementioned tasks and resources, in the manner disclosed by Clark, utilizing dots or similar geometric figures to represent/identify the relationships. Thus, the simple substitution of one known element for another producing a predictable result renders the limitation obvious.

Regarding **claim 16**, it has been previously established that Clark discloses the Applicant's matrix and that it would have been obvious to modify Lesaint to include the usage of this matrix (see the rejection of claim 1). The aforementioned combination however fails to explicitly teach representing the tasks by parallel lines in the first matrix dimension and the resources by parallel lines in the second matrix dimension.

The Examiner notes that Clark does represent tasks in the first matrix dimension and resources in the second matrix dimension by respective character strings. The Examiner hereby takes Official Notice that representing data by parallel lines was well known to those of ordinary skill in the art at the time of the invention.

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. Exemplary rationales that may support a conclusion of obviousness include: Simple substitution of one known element for another to obtain predictable results (MPEP 2141).

Because each individual element and its function are shown in the prior art, albeit in different references or embodiments, the difference between the claimed subject matter and the

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prior art rests not on any individual element or function but in the very combination itself— that is in the substitution of parallel lines, as were well known to those of ordinary skill in the art at the time of the invention, for the character strings utilized the combination of Clark and Lesaint to represents tasks and resources. The result of this substitution would have been predictable to those of ordinary skill in the art, at the time of the invention, specifically a system for managing the allocation of resources to a plurality of tasks, such that the system utilized the charts/matrices disclosed by Clark but represented the tasks and resources by parallel lines rather than character strings. Thus, the simple substitution of one known element for another producing a predictable result renders the limitation obvious.

Regarding **claim 17**, Lesaint does not explicitly teach utilizing a matrix wherein the first and second matrix dimensions are substantially perpendicular.

Clark however discloses a project management method that utilizes a Linear Responsibility Chart to perform the steps of:

- establishing data records including respective relationship identifiers, each relationship identifier describing a relationship among a respective task and a respective resource (see the figure on page 3 which illustrates the identifiers and page 5 which discloses implementing the LRC in electronic format which suggests that electronic data records are created to represent the information disclosed by the reference);
- a processing unit configured to represent the plurality of tasks in a first dimension of a matrix and the plurality of resources in a second dimension of the matrix, wherein each relationship identifier is represented at the interconnection or point of

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- intersection between the respective task and resource corresponding to that relationship identifier (see pages 3 and 5) and the first and second matrix dimensions are substantially perpendicular (see page 3); and
- a processing unit further configured for representing a connection between relationship identifiers relating to a particular task (see page 3).

One of ordinary skill in the art would have been motivated to modify the system of Lesaint to perform the method steps disclosed by Clark because Lesaint is directed to managing the assignment of resources to tasks and Clark discloses a method of visually tracking the responsibilities of resources as they relate to the performance of specific actions/tasks. Therefore one would have modified the system of Lesaint to include the usage of Linear Responsibility Charts, in the manner disclosed by Clark, in order to better keep track of the resources being assigned to particular tasks and the various relationships between the resources and the tasks in question.

Regarding **claim 18**, it has been previously established that Clark discloses the Applicant's matrix and that it would have been obvious to modify Lesaint to include the usage of this matrix (see the rejection of claim 1). However, the aforementioned combination of references does not explicitly teach providing two or more different projects in a joint representation, wherein the first and second matrix dimensions are each represented substantially parallel to each other.

The Examiner first takes Official Notice that providing two or more sets of data in a joint representation was old and well known to those of ordinary skill in the art, at the time of the invention.

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Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case providing two or more sets of data in a joint representation, as was well known to do at the time of the invention, to a known device, in this case to the projects disclosed by the combination of Clark and Lesaint. The application of the known technique in this manner would have generated a predictable result. It would have been obvious, to one of ordinary skill in the art, that the result of applying the aforementioned technique would be a system that managed the tasks and resources in projects according to the methods disclosed by Lesaint and Clark, such that the data associated with two or more projects is provided in a joint representation. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

The Examiner also takes Official Notice that representing two pieces of data substantially parallel to each other was well known to those of ordinary skill in the art at the time of the invention, For example Gantt Charts are well known to represent data using parallel bars which correspond to each individual piece of data being analyzed.

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of

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the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case representing two pieces of data substantially parallel to each other, as was well known to do at the time of the invention, to a known device, in this case to the matrix dimensions disclosed by the combination of Clark and Lesaint. The application of the known technique in this manner would have generated a predictable result. It would have been obvious, to one of ordinary skill in the art, that the result of applying the aforementioned technique would be a system that managed the tasks and resources in projects according to the methods disclosed by Lesaint and Clark, including the usage of linear responsibility charts/matrices, such that the data represented by the first and second matrix dimensions are represented substantially parallel. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lesaint (US 6578005 B1) , in view of Clark's, "Developing Operating Procedures For Projects Involving Multiple Organizations Using a Linear Responsibility Chart," and further in view of Bui et al. (US 6398727 B1) – hereinafter Bui.

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Regarding **claim 11**, Lesaint discloses a system wherein the processing unit is further adapted configured for indicating dependencies between tasks but does not explicitly teach that the unit is further configured for indicating these dependencies by using pointers or arrows.

Bui however discloses a system that performs a series a tasks and indicates dependencies between the tasks using pointer or arrows (see Figs. 19A-B).

Following KSR, the Supreme Court issued several rationales for supporting a conclusion that a claim would have been obvious. If a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art, and one of ordinary skill in the art would have been capable of applying this known technique to a known device (method, or product) and the results would have been predictable to one of ordinary skill in the art; then the claim will be deemed obvious in view of the prior art.

Applicant is applying a known technique, in this case indicating dependencies between tasks using pointers or arrows, as disclosed by Bui, to a known device, in this case to the system and dependencies, disclosed by Lesaint. The application of the known technique in this manner would have generated a predictable result. Therefore since the Applicant is claiming the application of a known technique to a known device to yield a predictable result, the claim is deemed obvious in view of the prior art.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adrian J. McPhillip whose telephone number is (571)270-5399. The examiner can normally be reached on Monday to Thursday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571)272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 3623

1/30/2010

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